

UNITED STATES OF AMERICA

- V. -

ROSALY GARCIA-GUZMAN,  
a/k/a "Charlie,"  
a/k/a "Shally,"

Defendant.

SUPERSEDING  
INFORMATION

S4 07 Cr. 756 (RJS)

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1. From in or about October 2006 until in or about November 2006, in the Southern District of New York and elsewhere, ROSALY GARCIA-GUZMAN, a/k/a "Charlie," a/k/a "Shally," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ROSALY GARCIA-GUZMAN, a/k/a "Charlie," a/k/a "Shally," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United

States Code.

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION**

3. As a result of committing the controlled substance offense alleged in Count One of this Information, ROSALY GARCIA-GUZMAN, a/k/a "Charlie," a/k/a "Shally," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting and derived from any proceeds that ROSALY GARCIA-GUZMAN, a/k/a "Charlie," a/k/a "Shally," the defendant, obtained directly and indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

**Substitute Assets Provision**

4. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant--

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;  
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUPERSEDING  
INFORMATION

S4 07 Cr. 746

(Title 21, United States Code,  
Sections 846 and 853.)

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MICHAEL J. GARCIA  
United States Attorney.

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